

#DAC

## PENTION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number CE08395R

First	Named	Inventor	r:

Rinchiuso et al.

Group Art Unit:

2661

**Application Number:** 

09/760,039

Examiner:

Unknown

Filed:

.)

January 12, 2001

Title:

PACKET TRANSMISSION WITHIN A BROAD-BAND COMMUNICATION SYSTEM

Attention: Office of Petitions

**Assistant Commissioner for Patents** 

**Box DAC** 

Washington, D.C. 20231

Note: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Untied States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE:	A grantable	petition r	equires t	he '	following	items:
-------	-------------	------------	-----------	------	-----------	--------

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1.	Petitio	on fee
		Small entity – fee \$ (37 CFR 1.17(I)). Applicant claims small entity status. See 37 CFR 1.27
	Χ	Other than small entity – fee \$
2.	Reply	and/or fee
	A.	The reply and/or fee to the above-noted Office action in the form of  Missing Parts (identify type of reply)
		has been filed previously on
		X is enclosed herewith
	B.	The issue fee of \$
		has been paid previously on
		is enclosed herewith.

PTO/SB/64 (10-00)

Page 1 of 2

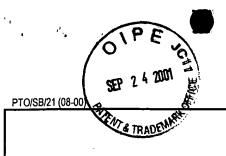
RECEIVED

SEP 2 6 2001

OFFICE OF PETITIONS

09/26/2001 SLUANG1 00000001 134772 09760039
01 FC:141

3.	Terminal Disclaimer with disclaimer fee					
	Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.					
	A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$  For a small entity or  See PTO/SB/63)  See PTO/SB/63					
4.	STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.1379b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]					
5.	The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 13-4772					
	RNING: Information on this form may become public. Cre  Provide credit card information and authorization on PT					
<u> </u>	September 19, 2001					
	Date	Signature				
	847-576-6937	Kenneth A. Haas				
-	Telephone Number	Typed or printed name				
	RECEIVED	Motorola Inc.				
	SEP 2 6 2001					
	OFFICE OF PETITIONS					
		22917				
		Customer Number				
Encl	osures: X Fee Payment					
	X Missing Parts					
	Terminal Disclaimer Form					
	Additional sheets containing statements esta	ablishing unintentional delay				
	CERTIFICATE OF MAILING OR TRA	ANSMISSION (37 CFR 1.8(a))				
I her	eby certify that this correspondence is being:					
	X Deposited with the United States Postal Service on the d	ate shown below with sufficient postage as first-class				
Mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231						
Transmitted by facsimile on the data shown below to the United States Patent and Trademark office at (703) 308-6916.						
	Deposited with the United States Postal Service on the d in an envelope addressed to: Assistant Commissioner for Express Mail Label No.	ate shown below with sufficient postage as Express Mail or Patents, Box DAC, Washington, D.C. 20231:				
	September 1 <b>8</b> , 2001	Janya Schoon				
	Date	Signature				
	Tanya Scheuer Typed or printed name of person signing certificate					



## TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in this Submission

Application Number	09/760,039
Filing Date	January 12, 2001
First Named Inventor	Rinchiuso et al.
Group Art Unit	2661
Examiner Name	Unknown
At/coney Docket Number	CE08395R

ENCLOSURES (check all that apply)						
X Fee Transmittal Form		X Assignment Papers (for an Application)		Allowance munication to Group		
Fee Attached		Drawing(s)	Appea	al Communication to Board peals and Interferences		
Amendment/Reply		Licensing-Related papers	Appea	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Final		Petition		ietary Information		
Affidavits/Declaration(s)		Petition to Convert to a Provisional Application	Status	Letter with appropriate copies		
Extension of time Request		Power of Attorney, Revocation, Change of Correspondence	, <u> </u>	Enclosure(s) (please identify below)		
Express Abandonment Request		Address	As	ssociate Power of Attorney		
Information Disclosure Statement		Terminal Disclaimer	⊠ Pe	etition for Revival of Abandoned intentionally Under 37CFR1.137(b)		
Certified Copy of Priority Documents		Request for Refund		ecuted Declaration		
X Response to Missing Parts/		CD, Number of CDs				
Incomple	ete Application	Remarks				
Response to Missing Parts Under 37 CFR 1.52 or 1.53						
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm or Kenneth A. Haas		2	Registration No.	42,614		
Signature						
Date September 18, 2001						
CERTIFICATE OF MAILING						
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon, as						
first-class mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on the date listed below:						
Typed or printed name Tanya Scheuer						
Signature Janya,		Scheur	Date	September 16, 2001		

**RECEIVED** 

SEP 2 6 2001